

HAWAII ADMINISTRATIVE RULES

TITLE 17

DEPARTMENT OF SOCIAL SERVICES AND HOUSING

SUBTITLE 2

CORRECTIONS DIVISION

CHAPTER 204

INMATE AND WARD ACTIVITIES

REPEALED

§§17-204-1 to 17-204-19 REPEALED. [R **APR 15 2000** ]

TITLE 17

DEPARTMENT OF SOCIAL SERVICES AND HOUSING

SUBTITLE 2 CORRECTIONS DIVISION

CHAPTER 204

INMATE AND WARD ACTIVITIES

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SUBCHAPTER 1

EDUCATION

§17-204-1 Goals. (a) It is the corrections division's goal to develop and maintain programs

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designed to provide inmates and wards with reasonable opportunities for modifying their behavior, and to maintain ongoing treatment programs which prepare inmates and wards for release from the beginning of their confinement so as to enable them to conform to acceptable standards of individual and community life by:

- (1) Providing opportunities for academic advancement, special education, vocational training, and constructive work experiences;
- (2) Permitting inmates and wards to maintain close contact with their families and other constructive persons;
- (3) Affording institutional personnel opportunities to consult with inmates' or wards' families;
- (4) Providing effective psychiatric, psychological, social, and group counseling services;
- (5) Enabling inmates and wards to continue and strengthen their religious practices and affiliations;
- (6) Utilizing volunteer workers in support of programs; and
- (7) Providing opportunities for inmates and wards to make constructive use of their leisure time.

(b) All inmates and wards with the desire, need, and capacity are encouraged to pursue and complete any educational programs available, whether in a classroom or by correspondence. The corrections division shall not be required to pay for the cost of correspondence courses. [Eff. OCT 6 1983 ] (Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-2 Educational participation. Inmates and wards assigned to an educational or training program shall give full cooperation to the instructor or others in charge, and shall comply with all program requirements. [Eff. OCT 6 1983 ] (Auth: HRS §353-3) (Imp: HRS §353-3)

## SUBCHAPTER 2

## WORK

§17-204-3 Goals. It is the corrections division's goal to provide inmates and wards with reasonable opportunities for useful and productive employment, and to enable them to acquire experiences which may be valuable to them in securing and maintaining regular employment within the institution and in the community when they are released by:

- (1) Affording all employable inmates and wards opportunity to work and receive financial remuneration for their services;
- (2) Assigning inmates or wards to work in the institution on the basis of abilities, interests, needs, and trustworthiness;
- (3) Providing work opportunities which enable inmates and wards to contribute toward the effective and economic maintenance of the institution;
- (4) Enabling selected inmates and wards to secure steady employment, outside of the confines of the institution, prior to release so that the inmate and ward can become self-supporting, maintain dependents, and honor financial obligations; and
- (5) Providing work experiences which develop incentive, skills, and habits which may contribute toward modifying inmates' and wards' attitudes regarding the value of steady employment. Every effort should be made to provide a normal work day of constructive activity for every inmate and ward. [Eff. OCT 6 1983 ] (Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-4 Work performance. Inmates and wards shall perform their assigned tasks diligently and conscientiously. Shirking, pretending illness, evading work, or encouraging others to do so is a violation of the rules. Inmates and wards shall report to work on time as instructed and not leave without permission. [Eff. OCT 6 1983 ] (Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-5 Sentenced offender compensation. (a) Sentenced felons qualifying as cooperative and qualified workers, and contributing to the operation and maintenance of the facility within which they are employed shall receive financial remuneration for their efforts. Such employment provides a means of maintaining and improving morale and self-respect while under confinement.

(b) Sentenced misdemeanants and probationers may be given financial remuneration or may be paid in-kind, for their work which contributes to the operation and maintenance of the facility incarcerated.

(c) Each facility shall develop guidelines for the remuneration of sentenced offender work. In all cases, sentenced offenders shall be paid for actual hours or days worked; there shall be no payment for overtime in institutional work.

(d) Work need not be rewarded at a set hourly rate. Rather, work shall be rewarded in relation to the skill required for the job and based upon the performance of the inmate or ward. [Eff. OCT 6 1983 ] (Auth: HRS §353-3) (Imp: HRS §353-3)

### SUBCHAPTER 3

#### RECREATION AND LEISURE TIME

§17-204-6 Goals. (a) It is the corrections division's goal to teach inmates and wards how to use leisure time constructively by making available facilities and opportunities for participation in athletics, arts and crafts, hobbies, reading, and writing.

(b) It is the goal of all recreation programs to provide opportunity for and to teach inmates and wards to use leisure time for the relaxation of body and mind both in the institution and upon release to the community. [Eff. OCT 6 1983 ] (Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-7 Group served. All inmates and wards shall be eligible to participate in the recreation program. The only restrictions shall be for medical

or disciplinary reasons. [Eff. OCT 6 1983 ]  
(Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-8 Scheduling. Scheduling of inmate and ward recreation shall be developed by each facility, keeping in mind that the inmate and ward shall have the opportunity to engage in a minimum of one hour of recreation per weekday, either indoors or outdoors. [Eff. OCT 6 1983 ] (Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-9 Athletic program. (a) Athletic activity for the inmates and wards who can participate safely and conduct themselves as good sports is encouraged.

(b) All participants shall be required to have a physical examination to determine physical fitness.

(c) Programs of instruction in athletic activities should be conducted for the inmates and wards with little or no skill in order to encourage more participation.

(d) The opportunity to shower shall be available to inmates and wards after participating in athletics. [Eff. OCT 6 1983 ] (Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-10 Arts and crafts program. (a) An organized arts and crafts program shall be encouraged to provide recreation and limited financial assistance for inmates and wards. Handicraft articles, manufactured according to institutional regulation, may be sold to the public in accordance with the law. Any inmate or ward who is properly enrolled in accordance with institutional rules may participate in the handicraft program.

(b) An individual inmate's and ward's handicraft articles and materials shall not exceed the amount set by the institution's rules.

(c) Violation of handicraft regulations may result in an inmate or ward being denied participation in use of handicraft materials and tools being stored until returned by the institution head. Any such

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stored tools and materials will be returned to the inmate or ward not later than time of release from the institution.

(d) Handicraft gifts may be given to those approved to correspond with or visit the inmate or ward, after listing and approval by the handicraft manager in accordance with institutional rules.

(e) Sale prices of handicraft articles may be set by the maker within limits defined by the handicraft manager. A percentage of the price (as determined by the division administrator) shall be credited to an inmate or ward welfare fund to offset overhead costs.

(f) Facility administrators may provide for funding assistance to help indigent inmates or wards get a start in the handicraft program.

(g) Inmates and wards shall use only materials purchased from their own funds or approved for use by the supervisor of handicraft program in the manufacture of their own handicraft articles.

(h) Inmates and wards shall not sell, donate, or loan handicraft materials or tools to another inmate or ward except as specifically authorized by the facility administrator.

(i) Inmates and wards shall not employ another inmate or ward in the manufacture of handicraft articles and shall not collaborate with other inmates or wards in manufacturing handicraft except as specifically authorized by the facility administrator.

(j) Inmates and wards shall not solicit or deal with potential purchasers of handicraft items. [Eff.

OCT 6 1983 ] (Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-11 Publications. Publications such as newspaper and magazines written by inmates and wards shall be encouraged. A staff member may be assigned supervision of the content and production of the publications. [Eff. OCT 6 1983 ] (Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-12 Manuscripts. Constructive and creative writing by inmates and wards is encouraged.

A manuscript may be approved for release or publication if it does not contain:

- (1) Libelous material;
- (2) Material which tends to glorify crime or delinquency or crime techniques;
- (3) Material which threatens institutional security and order. [Eff. ]  
(Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-13 Music. Music is both an educational and cultural experience and as such is supported and encouraged. Therefore, each inmate or ward may be afforded the opportunity to listen to and learn music by playing a musical instrument and generally enjoy music. Musical instruments should not be kept in the housing areas, but should be kept in a special designated area for control purposes. [Eff. ]  
(Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-14 Motion pictures, television, and radio. The viewing of motion pictures and television, and listening to the radio may be permitted as directed by the facility administrator. [Eff. ]  
(Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-15 Outside and inmate and ward entertainment. Entertainment, such as variety shows and choral groups, may be brought into the institution from the outside community, within the facility administrator's discretion and supervision. Inmate and ward talents may also be put to use through dramatic skits, variety shows, and other similar activities. [Eff. ] (Auth: HRS §353-3)  
(Imp: HRS §353-3)

§17-204-16 Clubs and special interest groups. Clubs may be organized for inmates or wards interested in specific games such as chess and bridge. Groups may also be formed for those who are interested in current events, book discussions, and the like. All clubs and groups shall be supervised and must be authorized by the facility administrator. [Eff. ]  
(Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-17 Community activities. (a) In keeping with the concept of reintegration, the corrections division supports and encourages the operation and development of in-community programs and the use of work, education, training, and re-socialization furloughs, for those inmates or wards who can responsibly assume the requirements for participation. Such programs shall be administered prudently, in keeping with the basic need for public protection and to preserve the privilege for the deserving inmate or ward. Because of possible differing operational needs due to the uniqueness of program, in-community programs may request exceptions or modifications of the rules in this chapter, which must be approved by the governor. Additionally, the inmate or ward may be required to execute a contract of terms and conditions which need not be approved by the governor.

(b) Failure to return from furlough or conditional release within the authorized time shall be treated as an escape.

(c) Inmates or wards allowed to participate in in-community programs shall comply with all agreements and rules governing those programs, and with all applicable laws. [Eff. 6-6-88] (Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-18 Inmate or ward councils and committees. (a) Advisory councils composed of elected inmates or wards may be established in a facility.

(b) These councils shall be limited to discussions with facility officials on the welfare of the inmate or ward and encouraging, developing, and supporting projects for the inmates or wards.

(c) The advisory council shall operate under a constitution and by-laws approved by the facility administrator. [Eff. 6-6-88] (Auth: HRS §353-3) (Imp: HRS §353-3)

§17-204-19 Fund raising campaign. The solicitation of money by, for, or from inmates or wards as individuals or in groups from any source

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within or without a facility shall not be permitted,  
except as authorized by the facility administrator.  
[Eff. OCT 6 1983 ] (Auth: HRS §353-3) (Imp:  
HRS §353-3)